

REMARKSClaim Objections

The Examiner has objected to the wrongly numbered claims. Although the Examiner indicated that claims 60 through 65 have been renumbered 59 through 64, the amendment above also indicate the same for confirmation since the Examiner indicated the objection. Furthermore, objected claims 22 and 54 have been amended as the Examiner suggested.

The Section 112, First Paragraph Rejections

The Examiner has rejected claims 5 through 14, 23 through 32, 37 through 46 and 55 through 64 under 35 U.S.C. §112, First Paragraph. The Examiner has pointed out that the claim language, "OR" in claims 5, 23, 37 and 55 is not supported by the specification. Accordingly, as the Examiner has suggested, claims 5, 23, 37 and 55 have been amended to replace "OR" with "#" as disclosed. Thus, the Applicant respectfully submits to the Examiner that the rejections of claims 5 through 14, 23 through 32, 37 through 46 and 55 through 64 should be withdrawn.

The Section 112, Second Paragraph Rejections

The Examiner has rejected claims 22 through 32 and 56 through 64 under 35 U.S.C. §112, Second Paragraph. The Examiner has pointed out that the limitations, "a=1," "b=1" and "c=1" are indefinite. In response to the above rejections, claims 22 and 54 have been amended to now each explicitly recite "A=1," "B=1" and "C=1." Furthermore, the same claims also now explicitly recite "Otherwise, A = 0," "Otherwise, B = 0" and "Otherwise, C = 0." The conditions for assigning the value, 1 for the variable, A, B and C are respectively and explicitly recited in the claim language. For A to have the value 1, "if a difference between a maximal one and a minimal one of the pixel color component values of a predetermined centrally located pixel is above a

second predetermined threshold value.” For B to have the value 1, “if any one of the pixel color component values of a predetermined pattern of first pixels near the centrally located pixel is below a third threshold value.” Lastly for C to have the value 1, “if any one of the pixel color component values of the predetermined pattern of second pixels that is symmetrical to the first pixels about the centrally located pixel is below the third threshold value.” The conditions for assigning the value, 1 are also disclosed at lines 19 through 32 on page 19 and at lines 1 through 15 on page 20. Based upon the above claim language and the above specified disclosures in the specification, the Applicant respectfully submit to the Examiner that claims 22 and 56 particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Thus, the Applicant respectfully submits to the Examiner that the rejections of claims 22 through 32 and 56 through 64 should be withdrawn.

The Section 103 Rejections

The Examiner has rejected claims 1 through 4, 15, 33 through 36 and 47 under 35 U.S.C. §103(a) as being obvious over the Nakamura et al. reference. However, the Examiner also indicated allowable subject matter in objected claims 16 through 21 and 48 through 53. The Examiner further indicated that the objected claims are allowable if they are rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, the Applicant has incorporated the subject matter limitations of dependent claims 16, 15 and 2 into their independent claim 1 and cancelled dependent claims 16, 15 and 2. Dependent claim 16 depends from dependent claim 15, which depends from dependent claim 2, which in turn depends from independent claim 1. Similarly, the Applicant has incorporated the subject matter limitations of dependent claims 48 and 47 into their independent claim 33 and cancelled dependent claims 48 and 47. Dependent claim 48 depends from dependent claim 47, which depends from independent claim 33. Thus, the Applicant respectfully submits to

Serial No.: 09/832,261

Page -20-

Amdt. dated June 28, 2004

Response to Office Action of April 14, 2004

the Examiner that the rejections of claims 1 through 4, 15, 33 through 36 and 47 should be withdrawn.

Conclusion

In view of the above amendments and the foregoing remarks, Applicant respectfully submits that all of the pending claims are in condition for allowance and respectfully request a favorable Office Action so indicating.

Respectfully submitted,



Ken I. Yoshida, Esq.
Reg. No. 37,009

Date: June 28, 2004

KNOBLE YOSHIDA & DUNLEAVY LLC
Eight Penn Center, Suite 1350
1628 John F. Kennedy Blvd.
Philadelphia, PA 19103
(215) 599-0600